
DEBATES

DEAR CANADIAN LABOUR MOVEMENT: A REPLY TO ANDREW JACKSON

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Dear Canadian Labour Movement,

I hope you are doing well. I don't know where to start so I'm going to be completely honest: it's not me, it's you. Things aren't working and they need to change.

THE GOLDEN AGE?

I know you've been going through a rough time lately with Neoliberalism;¹ but let's not fool ourselves into thinking that everything was great before. We talk about the decline of union density from the 'Golden Age' (a.k.a. the Keynesian welfare state) of trade unionism as *if* the working class as a *whole* were represented, rather than those at the top of the workplace hierarchy. This is simply false. The welfare state and its industrial relations framework were based on a White male breadwinner model in a Standard Employment Relationship.² This working situation was not the norm for all, nor was it ever intended to be (Vosko 2010). Instead, this hierarchy was based on a strict gendered, heterosexual, and racialized division of labour that was tightly linked to citizenship and the nation state (Porter 2003). So many of the rights trade unionists won at the time, like the family wage, were based on denying those very rights to the rest of the working class (Forrest 1993; Leah 1999). Not surprisingly, this model was already falling apart in the 1960s as women entered the workforce en masse and with the growth of non-standard work.

Our nostalgia for this 'Golden Age' makes us unable (or unwilling) to see the inequalities that were built into, and reinforced by, the welfare state itself. As comedian Louis C.K. jokes (2008), if you've got a time travel machine and you're a straight White man you can go as far back in time as you'd like. If you're not, best to stick to the 1980s or later. So let's all agree to stop reminiscing about something that never existed and focus our energies on moving forward.

THE PEACE THAT NEVER WAS

Yesterday's welfare state was seen as a compromise that balanced class interests. How did this benefit the capitalist class? The creation of mass production and mass consumption. How did this benefit the working class? Labour rights and high employment.

Looking back at this period, some historians use terms like 'Social Pact', 'Labour-Management Accord', and 'Labour Peace'. We were living it up in the post-World War II era. Real wage increases were linked to productivity and this was going up. Profits were going up. We saw no need to confront capitalism in an era of plenty (Fletcher and Gaspasin 2008). Thus, the debate narrowed and became about distribution rather than private property itself.

Many of the rules we play by are based on the National Labor Relations Act (a.k.a. the Wager Act) of the US, which was passed in 1935. When Canada got its Wartime Labour Relations Regulations in 1944, the modern era of industrial relations was born, with trade unions able to collectively bargain in the private sector, the establishment of the union certification process and labour relations boards to administer labour law, the ability to file unfair labour practices when such laws were violated, etc. Two years later in 1946, we got the Rand Formula.

But were unions really "generally accepted by employers" as Jackson claims? At best, this was the calm before the storm if one looked south at the Labor Relations Management Act (a.k.a. Taft Hartley Act) of 1947. The Taft Hartley Act allowed employers to *express* their opinion about unionization in the workplace, permitted individual states the jurisdiction to pass so-called '*right-to-work*' laws, banned secondary strikes, etc. At worst, the labour movement was perhaps "generally accepted by employers" as a means to incorporate and control:

Industrial unions were legally recognized as legitimate collective bargaining agents on the condition that they acknowledge in practice the basic norms on which liberal social relations are constructed: most important, that they uphold the sanctity of contract into which they enter and assume the corresponding responsibility for controlling their membership (Rupert 1990).

Thus, other historians look back at this same period as a "defeat" when organized labour became *part* of the state as a class dispute resolution mechanism (Dubovsky

1992; Lichtenstein 2000; Rupert 1990). Thus, we have the answer to the Gramscian question: “how do you achieve control without *appearing* to control?” (Sewell 1998). Unfortunately, the story in Canada is no different (Panitch and Swartz 2008).

Today unions are institutionalized and we channel class conflict in terms of the labour process through grievances and collective bargaining within an industrial relations regime whose primary goal is conflict resolution (Krahn 2008). Organized workers tell their union what their individual workplace problems are and we try to fix them through grievance procedures, collective bargaining, and the odd ‘legally sanctioned’ strike. Try as we may, we can only make superficial changes at best and today we are desperately fighting to maintain our meager status quo. Yes, a grievance procedure and a strong collective agreement might be a good starting place to prevent the more obviously exploitative forms of work; but it is inadequate in dealing with structural and systemic issues of capitalism and the labour market. This is because at the end of the day unions can’t file grievances or negotiate a collective agreement that deals with our key issue: the wealth created by workers is not kept or controlled by workers.

ORGANIZING IN CANADA VERSUS ORGANIZING IN THE USA

No doubt Canada’s labour laws are more favourable than those of the United States, as explained by Jackson. Yes, in general, it is easier to organize in Canada regardless of whether you fall under provincial or federal laws. It’s so bad in the United States that unions are smartening up to the fact that the game is rigged and are organizing outside of their National Industrial Relations Board. Yet, if we return to the idea of the post-war industrial relations regime being a trade union ‘defeat’, then organizing outside of the government-sanctioned procedure may not necessarily be a bad thing.

The labour movement of the United States has been compared to a slow leaking tire (Fletcher and Gapasin 2008). Adding more workers via organizing is akin to adding more air to the tire with the hole. Without addressing the fundamental problem, the tire will continue to deflate. We need to question the “ideologizing of organizing” that mistakes simply organizing workers into unions as being good enough, without ever questioning the nature of these unions. Again, we are unfortunately no different from the US on this.

AGITATE, EDUCATE, ORGANIZE, AND THEN WHAT?

Thus, the questions remain: what are we organizing for and for whom are we organizing? For what purpose? To what end? Are trade unions an economic counterbalance for workers that provide workplace-specific protections and benefits? Are trade unions a vehicle for progressive social change aimed at reforming the worst aspects of capitalism? Are trade unions a revolutionary force bent on overthrowing

capitalism? While the answer will be different for each of us, I think we can agree that we are failing on all these fronts.

I've been a union organizer on and off for public and private sector unions for more than a decade and I understand the amount of work required and the risks involved for those forming a union. Yet, I've always felt that something wasn't quite right after the workers joined the union and negotiated their first collective agreement. Workers join a union because they realize that their issues are not individual issues and thus they need to take collective action. Yet, based on my experience as an organizer and a union member, we rarely seem to take the next step in this analysis to develop a politics that situates our experiences within a class framework.

We rarely ask: What's wrong with the capitalist economic model? What alternatives are there? How is capitalism linked to other forms of oppression? How can our union organize for this alternative? What new demands can we put forth that go beyond specific workplaces, sectors, and struggles and are directed at the economic crisis and its fallout (Albo 2009)? In what ways can trade unions develop the "consciousness and capacities" of workers via "actually existing opportunities" to challenge the capitalist model (Serrano and Xhafa 2012)?³ What about worker cooperatives? What about community benefit agreements? What about a living wage? What about a truly 'public' transportation system?

Simply put, here is where we are now and it ain't pretty:

[...] the critical factor remains the larger disorganization and defeat of the working-class as a whole, the strength of neoliberalism, the limitations of unions as they currently exist and the lack of any real political or organizational alternatives that address the need to create a class-wide movement (Rosenfeld 2012).

CONCLUSION

*Everybody knows that the dice are loaded
Everybody rolls with their fingers crossed
Everybody knows that the war is over
Everybody knows the good guys lost
Everybody knows the fight was fixed
The poor stay poor, the rich get rich
That's how it goes
Everybody knows*

—Cohen and Robinson, "Everybody Knows" 1988

I think everyone knows that our current union system is not working but we don't know what to do about it. Our framework for trade unionism is fundamentally flawed and we need a new one. Part of being able to articulate and believe in an alternative to

the Neoliberal hegemonic project is to understand how our current union structures, systems and actions actually support it and, more importantly, how we change this. Am I being naïve? Only those who think they can continue on this path of 'business as usual' with some vague hope that things will miraculously turn around should be accused of this.

Wishing you the best.

NOTES

- ¹ Definition of Neoliberalism: "A modern, more harsh incarnation of capitalism which became dominant globally beginning in the early 1980s, largely as a reaction to international economic and political problems encountered at the end of the postwar 'Golden Age.' Neoliberal policies have emphasized deregulation (including of labour markets), privatization, globalization, and strict monetary policy" (Stanford 2008).
- ² Definition of Standard Employment Relationship: "[f]ull-time continuous employment relationship, where the worker has one employer, works on the employer's premises under direct supervision, and has access to comprehensive benefits and entitlements[...]" (Vosko 2010).
- ³ Serrano and Xhafa (2012) explore ten global case studies of such opportunities in their book.

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